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2000 Regular Session 0lr0378

## (PRE-FILED)

By: **Delegate Fulton**Requested: August 5, 1999

Introduced and read first time: January 12, 2000

Assigned to: Environmental Matters

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## A BILL ENTITLED

## 1 AN ACT concerning

## 2 Office of Planning - Annual Survey and Map of Group Homes

- 3 FOR the purpose of requiring the Office of Planning to annually survey certain
- 4 governmental units and compile certain information on group homes located
- around the State; defining a certain term; requiring the Office to create a
- 6 color-coded map that illustrates the location of the different categories of group
- 7 homes within the State; requiring the General Assembly, the State, and local
- 8 jurisdictions to use the data and map for certain purposes; and generally
- 9 relating to determining the location of the various categories of group homes
- within the State.
- 11 BY renumbering
- 12 Article State Finance and Procurement
- 13 Section 5-309
- to be Section 5-310
- 15 Annotated Code of Maryland
- 16 (1995 Replacement Volume and 1999 Supplement)
- 17 BY adding to
- 18 Article State Finance and Procurement
- 19 Section 5-309
- 20 Annotated Code of Maryland
- 21 (1995 Replacement Volume and 1999 Supplement)
- 22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
- 23 MARYLAND, That Section(s) 5-309 of Article State Finance and Procurement of
- 24 the Annotated Code of Maryland be renumbered to be Section(s) 5-310.
- 25 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland
- 26 read as follows:

2 HOUSE BILL 23

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1			Article -	- State Finance and Procurement
2	5-309.			
3	(A) (1) TREATMENT, OR R			ON, "GROUP HOME" MEANS A RESIDENTIAL, N FACILITY THAT:
5		(I)	IS LICE	NSED, REGULATED, OR MANAGED BY:
6			1.	THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE
7			2.	THE MARYLAND HEALTH CARE COMMISSION;
8 9	CORRECTIONAL S	ERVICE	3. S; OR	THE DEPARTMENT OF PUBLIC SAFETY AND
10			4.	THE DEPARTMENT OF JUVENILE JUSTICE;
11 12	USE; AND	(II)	IS LOCA	ATED IN A NEIGHBORHOOD ZONED FOR RESIDENTIAL
13		(III)	HOUSE	S THREE OR MORE RESIDENTS WHO:
14			1.	ARE NOT OWNERS OR LESSEES OF THE HOME; AND
15			2.	ARE NOT RELATED BY MARRIAGE OR CONSANGUINITY
	(2) IN THIS SECTION, "GROUP HOME" INCLUDES ANY OF THE FOLLOWING FACILITIES THAT MEET THE DESCRIPTION CONTAINED IN PARAGRAPH (1) OF THIS SUBSECTION:			
19		(I)	AN ASS	SISTED LIVING FACILITY;
20 21	DISABLED;	(II)	A RESII	DENTIAL FACILITY FOR THE DEVELOPMENTALLY
22 23	TREATMENT FAC	(III) ILITY;	A RESII	DENTIAL TREATMENT CENTER OR OTHER DRUG
24		(IV)	A JUVE	NILE JUSTICE GROUP HOME;
25		(V)	A HOM	E FOR RUNAWAY YOUTH; AND
26		(VI)	A COM	MUNITY ADULT REHABILITATION CENTER.
29	(B) (1) THE OFFICE ANNUALLY SHALL SURVEY THE GOVERNMENTAL UNITS LISTED IN SUBSECTION (A)(1)(I) OF THIS SECTION AND USE INFORMATION IT HAS OTHERWISE GATHERED TO DETERMINE THE NUMBER AND LOCATION OF THE VARIOUS CATEGORIES OF GROUP HOMES WITHIN THE STATE.			

(2) FOR EACH GROUP HOME, THE SURVEY SHALL DETERMINE:

- 1 (I) THE COUNTY IN WHICH THE GROUP HOME IS LOCATED; (II)IF IT IS LOCATED IN A MUNICIPAL CORPORATION, THE 2 3 MUNICIPAL CORPORATION IN WHICH THE GROUP HOME IS LOCATED; (III) THE PURPOSE OF THE GROUP HOME; 4 THE AVERAGE NUMBER OF RESIDENTS IN THE GROUP HOME (IV) 5 6 FOR THE MOST RECENT CALENDAR YEAR; (V) THE MAXIMUM NUMBER OF RESIDENTS IN THE GROUP HOME 8 FOR THE MOST RECENT CALENDAR YEAR; AND (VI) THE LOCATION OF THE NEAREST GROUP HOME THAT SERVES 10 THE SAME PURPOSE FOR THE SAME POPULATION OF POTENTIAL RESIDENTS. 11 (C) THE OFFICE SHALL USE THE INFORMATION GATHERED UNDER THIS 12 SECTION TO COORDINATE THE PREPARATION OF A COLOR-CODED MAP TO 13 ILLUSTRATE THE LOCATION OF THE DIFFERENT CATEGORIES OF GROUP HOMES 14 WITHIN THE STATE. ON OR BEFORE DECEMBER 31 OF EACH CALENDAR YEAR. THE OFFICE 15 16 SHALL REPORT THE INFORMATION GATHERED AND FORWARD THE MAP PREPARED 17 TO THE APPROPRIATE COMMITTEES OF THE GENERAL ASSEMBLY. THE GENERAL ASSEMBLY, THE STATE, AND LOCAL JURISDICTIONS SHALL 18 19 USE THE MAP AND INFORMATION GATHERED TO ENSURE THAT GROUP HOMES ARE 20 NOT LOCATED IN A MANNER THAT: 21 (1)UNDULY INTERFERES WITH THE USE AND ENJOYMENT OF 22 RESIDENTIAL PROPERTY IN ANY JURISDICTION OR NEIGHBORHOOD IN THE STATE;
- UNREASONABLY THREATENS THE HEALTH AND SAFETY OF THE 24 (2)
- 25 RESIDENTS OF ANY JURISDICTION OR NEIGHBORHOOD IN THE STATE.
- SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect 26
- 27 October 1, 2000.